

Joint Leadership Council of Veterans Service Organizations
Meeting Minutes
September 7, 2004

A meeting of the Joint Leadership Council of Veterans Service Organizations (JLC) was held on Tuesday, September 7, 2004, at the offices of VSE Corporation, 2550 Huntington Avenue, Alexandria, Virginia.

Members Present

Jim Aucoin, *American Veterans*; John Bonnell, *Marine Corp League*; Mason Botts, *Air Force Association*; George Dumas, *Homeless and Disabled Veterans*; John Dunleavy, *Veterans of the Battle of the Bulge*; David Ellis, *NAUS*; Pat Green, *Roanoke Valley Veterans Council*; John Jackson, *Paralyzed Veterans of America*; James Jones, *Korean War Veterans Association*; Connie O'Neill, *American Legion*; Richard Rinaldo, *Legion of Valor of the U. S., Inc.*, R. Goodwin Sacra, *Navy Seabee Veterans of America*; Ronald Shamblin, *Virginia National Guard Association*; and Frank Wickersham, *MOAA*.

Members Absent

John Anderson, *Board of Veterans Services*; Paul Fink, *United States Navy Cruiser Sailors Association*; Robert Gray, *American Ex-Prisoners of War*; Michael Hulsey, *Reserve Officers Association of the U.S.*; Norman Jasper, *Military Order of the Purple Heart*; Jon Mangis, *Commissioner, Virginia Department of Veterans Services*; Daniel Miller, *Disabled American Veterans*; Richard Schneider, *Non-Commissioned Officers Association*; Thomas Snee, *Fleet Reserve Association*; and Peter Snelling, *Veterans of Foreign Wars*.

Others Present

C. L. "Bert" Boyd, *Chief Deputy Commissioner, Virginia Department of Veterans Services*; Steven Combs, *Assistant to the Commissioner, Virginia Department of Veterans Services*; Rhonda Earman, *General Administration Supervisor, Virginia Department of Veterans Services*; David Keith, *Clark•Nexsen Architects*; Dan Kemano, *Cemeteries Administrator, Virginia Department of Veterans Services*; Rose Lee of the *Gold Star Wives of America, Inc.*; Congressman James Moran, *Virginia's 8th Congressional District*; William Van Thiel, *Administrator, Virginia Veterans Care Center*; Jim Walker, *Board of Veterans Services*; Will Wells, *Virginia Department of General Services*; Ron White, *Virginia Department of General Services*; and L. Kent Woodmansee, *U. S. Warrant Officers Association*.

Materials Distributed

Meeting Agenda; Minutes of the September 24, 2003, March 16, 2004, and June 21, 2004, meetings; Virginia Veterans Care Center renovation outline; copy of graphics presentation on Albert G. Horton, Jr., Memorial Veterans Cemetery construction update, cemetery brochure and list of burial options and costs; preliminary Clark•Nexsen architectural rendering of the new Richmond Care Center; preliminary list of JLC legislative agenda items; list of Veterans Services Offered by the Commonwealth; and Virginia Department of Veterans Services Overview.

Call to Order

With a quorum of 13 of 22 members present, Jim Aucoin, substituting for JLC Chairman Dan Miller, called the meeting to order at 12:20 p.m. Mr. Aucoin welcomed new members David Ellis and Pat Green.

Federal Programs and Legislation

U. S. Representative James Moran briefed the Council on federal programs and legislation affecting veterans. Congressman Moran said that veterans with limited personal resources often are not aware of veterans services and benefits available to them and commended the JLC for helping to bring veterans issues to the attention of law and policy makers. The events of September 11 elevated the public's perception of the importance of military, and it is vital that America recognizes those who have served in past conflicts. Virginia was fortunate to be a part of the World War II Memorial honoring the veterans who served in that conflict to preserve the freedoms of future generations.

Congressman Moran encouraged members of the JLC to participate in the Veterans History Project, an initiative of the Library of Congress, and thanked Cox Communications Corporation for providing communication services to the project, at no charge.

In line with President Lincoln's admonishment to "care for him who shall have borne the battle, and for widow and his orphan," Congressman Moran said our nation should be mindful of the great sacrifices made by our military by funding vital programs for veterans and their survivors.

Some of the key Congressional measures affecting veterans include:

- **Survivor Benefits/"Widow's Tax"** – On May 20, the House passed the fiscal 2005 Defense Authorization Act by a vote of 391 to 34. That bill contains a provision that phases out the Survivor Benefit Plan penalty for military widows receiving Social Security benefits. The Senate-passed version contains a phase-out provision, but is graduated over a ten-year period, versus the five-year period contained in the House version. During the conference process, which will begin shortly, the two versions must be reconciled, and then put to vote in both chambers in the form of a conference report, which cannot be amended. Congressman Moran fully supports the House version, in large part because it phases out the Survivor Benefit penalty over a shorter time span.
- **House Resolution 303/The Disabled Veterans Tax** – This issue, known as "concurrent receipt," is addressed in legislation co-sponsored by Congressman Jim Moran. According to a Government Reform Committee report prepared for Congressman Moran, until January of 2004, when a complicated legislative "fix" became law, 35,400 veterans in Virginia with service connected disabilities lost military retirement benefits due to the disabled veterans' tax, a dollar for dollar reduction in Department of Defense military retirement benefits for each dollar of VA disability benefits. An 1891 law barred "concurrent receipt" of both military retirement benefits and disability benefits. The "Retired Pay Restoration Act of 2003," H.R. 303, which would repeal that law, has not been taken up by the House Armed

Services Committee, and so far has not been considered on the House floor as a stand-alone bill. Last year, the bill became the subject of a discharge petition, a procedural device used to by-pass the leadership and force a vote on the House Floor. The petition currently has 205 signatures, 13 short of the threshold required to force a vote on the House floor.

A provision was added to the fiscal 2004 Defense Authorization Act, reducing the tax for retirees who are 50% or more disabled. However, this narrowly tailored provision does not go far enough and leaves thousands of disabled retirees still subject to the offsetting tax.

- **Veterans Health Care** – Congressman Moran offered an amendment during Budget Committee consideration of the Budget Resolution to increase the VA budget by \$2 billion to pay for health care. Another measure that would have assured funding for veterans health care based upon population considerations, instead of federal budget considerations, failed to pass the House. Congressman Moran, who supported the bill, emphasized that political considerations like the recent tax cuts should not determine whether veterans receive the benefits they are entitled to. If the tax cuts remain permanent, funding of veterans health care will drain the Medicare and Social Security Trust Funds, and funding for veterans housing programs will create a burden on the Housing and Urban Development Trust Fund. President Bush's current budget proposal for veterans' health care would decrease current benefits at a time when health care costs are rising.

Congressman Moran urged all Veterans Service Organizations to play a role in state and federal legislation by advocating for veterans programs with their legislators. He also said that VSOs could provide input into the development of defense policy by making their positions clear to policy makers. Congressman Moran noted that combat pay for our armed forces today is not great as for past conflicts, due to the adverse impact the enormous federal budget deficit is having on defense spending.

Richmond Care Center Construction Update

David Keith and Ron White provided an update on the construction for the new Richmond Care Center. The new Care Center will be constructed on a 19.2-acre site that the Commonwealth acquired from the Veterans Administration. The building will be one story, with a floor plan similar to that of the Roanoke Care Center. Some of the features of the new center will include:

- 200-bed capacity
 - 120 for residents with medical conditions
 - 40 for Alzheimer's patients, with courtyard and wander garden
 - 40 for residents needing assisted living accommodations
- Single occupancy rooms with private toilet facilities
- Physical and Occupational Therapy units
- Large dining area for the medical wings

- Chapel
- Kitchen facilities

Mr. Keith provided the address for a Web site on which the public can get updates on the progress of the center, <http://project.clarknexsen.com>. A general contractor soon will be hired, and construction is scheduled to begin in January, 2005. Of the \$22.5 million allocated for the project, 65% will be federally financed, and 35% will be come from state funds.

John Jackson asked whether the facility will have the capacity to treat spinal cord injury (SCI) patients, and noted that there is a waiting list nationally for SCI patients at VA hospitals. Mr. Van Thiel responded that the Veterans Administration prefers that SCI patients reside in their own homes and receive treatment in their communities, rather than be institutionalized in medical or long-term care facilities. In addition, most SCI patients are young and do not wish to be institutionalized. Mr. Jackson said he would follow up with Mr. Van Thiel and Mr. Boyd on this issue following the meeting.

Roanoke Care Center Renovations

Bill Van Thiel provided an update on the renovation/construction project at the Virginia Veterans Care Center in Roanoke, and distributed an outline and list of capital projects. The United States Department of Veterans Affairs (USDVA) will provide 65%, and the Commonwealth of Virginia 35%, of funding for the project. The State portion of the project will be financed by VVCC funds that have been set aside for renovation/construction and capital expenditures. The VVCC receives no funding from general funds appropriated by the General Assembly.

Mr. Van Thiel stated that the USDVA funding criteria for this type of construction is defined under Priority Group I, which includes the following sub-priority groups:

- Subpriority 1) Remedy for life safety issues
- Subpriority 2) States without a construction grant for a state nursing homes and remedy for states that don't have state facilities
- Subpriority 3) Great need for new beds in a state
- Subpriority 4) Renovations, other than Subpriority 1, e.g., the VVCC request
- Subpriority 5) Significant need for new beds in a state
- Subpriority 6) Limited need for new beds in a state

Mr. Van Thiel responded to a question regarding admission criteria. He told the group that any honorably discharged veteran, who is a resident of Virginia, or who enlisted in the Armed Forces in Virginia, is eligible for admission to the Virginia Veterans Care Center.

Horton Cemetery Construction Update

Dan Kemano and Will Wells provided an update on the construction of the new Albert G. Horton, Jr., Veterans Memorial Cemetery in Suffolk. An on-screen presentation was used to show photographs and the architectural site plan. Mr. Kemano also distributed an informational brochure on the cemetery, as well as a list of the various types of burials and costs.

Despite inclement weather delays, Phase I construction is on schedule, and the dedication ceremony is scheduled for November 1, 2004.

Pat Green said that there is a great need for a veterans cemetery in Southwest Virginia and asked for support of such a project from the JLC. Everyone agreed that this was a good idea, and Connie O'Neill said he would include this project in the JLC's 2005 Legislative Agenda. Mr. Boyd reminded the Council that the Veterans Administration would finance the construction of such a project, but that the Commonwealth would have to provide the land and funding to support the operation of the facility.

Approval of Minutes

A **motion** was made and passed unanimously, to approve the minutes of the September 25, 2003, and the minutes of the June 21, 2004, meetings, as drafted. The minutes of the March 15, 2004, meeting were approved, unanimously, with the following changes to page one: Ron Shamblin, *Virginia National Guard Association*, should be listed as present at the meeting; and the quorum of members should be changed to 12 of 21.

Chairman's Comments

Jim Aucoin provided the Chairman's Comments in Dan Miller's absence. Mr. Aucoin reiterated Chairman Miller's remarks in his July 9 letter to Council members, saying that it is imperative that JLC members attend meetings regularly, so that the Council will be able to perform its functions.

JLC Legislative Agenda

Connie O'Neill distributed a preliminary list of JLC legislative agenda items for the 2005 General Assembly session. Mr. O'Neill asked that any VSO that had not yet submitted its item(s) to him, to do so before September 15, as the JLC Legislative Agenda will be presented to the Board of Veterans Services at its September 27, 2004, meeting. A **motion** was made, seconded, and passed unanimously to authorize the JLC Legislative Officer to publish the final Legislative Agenda after the final draft has been distributed to the Council members via e-mail for their approval. Mr. Wickersham suggested that the JLC adopt 4 or 5 key items, with the remainder preserved as "back-ups" in the event any of the key items fail.

Constitution and By-Laws Review Committee

A **motion** was made, seconded, and passed unanimously to appoint John Jackson, James Jones, and Frank Wickersham to serve on the Constitution and By-Laws Review Committee. The Committee will review the existing JLC Constitution and By-Laws and make recommendations for any changes to the full Council at its next meeting.

Nominating Committee

Upon a **motion** by members of the Nominating Committee and seconded, the Council voted unanimously to appoint Connie O'Neill and Frank Wickersham to serve as Chairman and Vice Chairman, respectively, for the period September, 2004 through July, 2005. With his appointment as Chairman, Mr. O'Neill resigned as the JLC Legislative Officer.

Commissioner's Update

Bert Boyd provided the Commissioner's Report in Jon Mangis's absence. Mr. Boyd advised the Council that the Commissioner's convalescence from his recent surgery has gone well, and that he is expected to be back in the office half days beginning September 8.

Mr. Boyd said that Virginia meets the VA criteria for four more veterans homes, in addition to the existing Care Center in Roanoke, and the new Richmond Care Center soon to be constructed. Discussions regarding applications to the VA for the additional homes is ongoing.

Mr. Boyd informed the Council that DVS field offices are experiencing staffing shortages due to recent and impending retirements, and staff who are on full disability. There is not sufficient funding to replace these individuals. Despite the drop in staff levels, however, there has been no change in the number of claims processed. Mr. Boyd said that of the approximately 300 staff working for DVS, approximately 240 are employed at the Roanoke Care Center; 50-60 are employed by the benefits and cemeteries sections; and 6 work for the Veterans Educational Approval Service.

Steve Combs noted that the Roanoke Care Center recently was recognized by the Center for Quality Health Care Services and Consumer Protection for full compliance with the federal certification requirements for nursing facilities participating in the Medicare and/or Medicaid programs. This recognition was the result of an inspection of the center with zero deficiencies. These certification requirements are very stringent, and all of the staff at the VVCC should be very proud of their contributions in support of this mark of excellence.

New Business

A question was raised about the chronic absences of some of the members, and the Council discussed ways to address this problem. Everyone agreed that input into critical state and federal veterans issues by the JLC as a body is crucial, and cannot be achieved without the participation of all the VSOs. It was noted that there are provisions in the JLC Constitution and Bylaws, as well as Secretariat policies and procedures, which may be used to address the attendance problem.

With respect to veterans advocacy, Mr. Boyd noted that the JLC is not limited to the secretariat level in pursuing its objectives, and urged the Council to advocate directly with the legislature and senior policy makers for veterans programs and funding.

It was noted by new Chairman, Connie O'Neill, that by law, the JLC must adopt a mission and vision statement. Messrs. Rinaldo, Botts, and Ellis agreed to serve on an ad hoc committee to develop the statement and submit to the full Council for consideration and approval.

Public Comments

There were no public comments.

Next Meeting

The next meeting of the JLC was scheduled for December 7, 2004, 11:00 a.m., at the offices of the American Legion in Richmond. Members are asked to bring a brown bag lunch.

Adjournment

There being no further business, the meeting was adjourned at 3:20 p.m.